A Petition extending the time to respond to the pending Office Action by two months is enclosed herewith.

A Notice of Appeal is enclosed herewith.

The claims in the application were Claims 1-39. By this Amendment, Claims 1, 6, 7, 11, 15, 34, 36 and 38 have been cancelled and replaced with new Claims 40-45. Claims 10, 14 and 18-30 have been cancelled as directed to non-elected subject matter. Accordingly, the claims in the application and under consideration are Claims 2-5, 8, 9, 12, 13, 16, 17, 31-33, 35, 37 and 40-45.

Applicants reserve the right to file continuation applications directed to the cancelled subject matter at the appropriate time.

Claims 1 to 7, 11 to 15 and 31-39 were rejected under 35 USC § 103 as allegedly unpatentable over Kitahara et al, British Patent, Miyamoto or Watsuka et al. It is noted that Watsuka et al., EP 79141, is the publication referred to in the Miyamoto abstract.

Initially, applicants would like to thank the Examiner for the courtesies extended during the interview conducted on November 12, 1992. During the interview, the claimed invention in

view of the prior art references cited, that is, Kitahara, British Patent and Miyamoto (Watsuka) was discussed.

Applicants respectfully submit that the compounds and compositions of the invention, as originally claimed, were not obvious over the cited art.

Nonetheless, in a sincere effort to advance prosecution and in accordance with the Examiner's indication that the species of Claims 8 and 9, as well as claims reading on the elected species (Claim 31), that is, were Rc' is CO-R^{11} wherein R^{11} is a phenyl group optionally mono- or disubstituted by halogen, cyano, hydroxy or lower alkyl would be allowable over Kitahara and British Patent, applicants have cancelled Claims 1, 6, 7, 11, 15, 34, 36 and 38 and replaced with new Claims 40-45 which recite Rc' as COR^{11} wherein R^{11} is a phenyl group optionally mono- or disubstituted by halogen, cyano, hydroxy or lower alkyl.

Applicants respectfully submit that the compounds described in the prior art are not so structurally similar to the claimed compounds as to suggest or render obvious the latter. Claims 2, 8, 9, 12, 13, 16, 17, 31, 32, 33, 35, 37 and 39 have been amended to change the dependency from the cancelled claims to the respective corresponding new claims.

Support for the amendments can be found throughout the specification, for example, at page 8, lines 11-22 and in original Claims 1, 6, 7, 11 and 15.

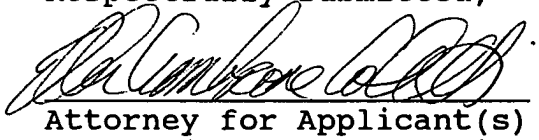
With respect to Miyamoto (Watsuka), applicants respectfully submit that the compounds of formula I of Miyamoto differ from the claimed compounds of the invention. The Miyamoto compounds of formula I do not have the specific substitution pattern of the claimed compounds and, significantly, do not have a nitro or cyano substituent. At best, Miyamoto, discloses intermediates which are arguendo "positional isomers" of the claimed compounds. Miyamoto does not hint at or suggest the use of these alleged "positional isomers" in pharmaceutical compositions. Miyamoto provides no motivation for using these intermediates as pharmacologically active agents. Significantly, also the compounds of formula I disclosed in Miyamoto et al. are stated to be capable of inhibiting 5-lipoxygenese activity and, thus, have properties which are not comparable to those of the present compounds.

Manifestly, Miyamoto et al. also fails to teach or suggest compounds which would render obvious the claimed invention. Applicants respectfully submit that Miyamoto (Watsuka) provides no motivation for making the claimed compounds.

Nonetheless, in further support of applicant's position and to obviate the rejection, applicants submit herewith the Declaration of Gerhard Zurcher dated December 15, 1992 (the Declaration) which demonstrates the patentability of the claimed compounds. As set forth in the Declaration, the inhibitory catechol-O-methyltransferase (COMT) activity of a compound of the invention was compared with the inhibitory activity of a compound described in Watsuka, reference example 4, pages 27-28. In comparing these compounds, Gerhard Zurcher concluded that the results of the in vivo and in vitro COMT inhibition tests showed that the representative compound of the invention exhibited greater COMT inhibitory activity than a compound described in Watsuka. Accordingly, applicants respectfully request that the rejections under 35 USC § 103 be withdrawn.

Since all the claims in the application are now in proper form and patentably distinguished over the cited art, an early allowance and notice thereof are courteously requested.

Respectfully submitted,



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